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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James A. Tarara Date: March 21, 2003

Application No.: **09/784,426** Attorney Docket: D.1482

Filed: February 16, 2001

For: GASKET FOR ACID WASTE COUPLINGS

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Assistant Commissioner for Patents
Washington, D.C. 20231

ATTENTION: "OFFICE OF PETITIONS"

RENEWED PETITION

UNDER 37 C.F.R. 1.137(b)

Respectfully requested,

JAMES A. TARARA

By _____
John E. Toupal, Reg. No. 19,908
Attorney for the Applicant

116 Concord Street
Framingham, MA 01702
508-872-3781
Customer No. 003574

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

Sir:

1. The referenced application became abandoned on May 20, 2001 for failure to reply in a timely manner to the Notice to File Corrected Application Papers (Notice).

04/02/2003 CNGUYEN 00000004 201375 09784426
01 FC:1453 1300.00 CH

Adjustment date: 08/19/2003 EEKUBAY1
04/02/2003 CNGUYEN 00000004 201375 09784426
01 FC:1453 1300.00 CR

The above identified patent application was filed on February 16, 2001 along with a Combined Declaration and Power of Attorney signed by the inventor; an Information Disclosure Statement; and New Application Transmittal form.

On March 26, 2001, the filing receipt was received from the U.S. Patent Office according Serial No. 09/784,426 to this application.

On November 18, 2002 a Status Inquiry was filed in the United States Patent Office for this application, a copy of the receipt dated post card is attached. On December 2, 2002 correspondence was received from the Office, mailed November 22, 2002, copy attached, indicating that the above identified patent application was projected to be first examined in 0 to 3 months.

On January 9, 2003 a Notice of Abandonment mailed January 3, 2003 was received for this application indicating that this application was abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 03/19/2001. Our office did not receive the Notice to File Missing Parts (Notice) and subsequently filed on January 27, 2003 a Petition Under 37 CFR 1.137 for revival of this application.

On February 24, 2003 a communication mailed on February 20, 2003 from the Office was received, indicating that the Petition filed on January 27, 2003 was

dismissed for failure to reply in a timely manner to the Notice to File Corrected Application Papers (Notice) mailed by the Office on March 19, 2001.

On February 27, 2003 a telephone call was made to Latrice Bond, Paralegal Specialist, Office of Petitions, at 703-308-6911 by Joan Lewis of Law Offices of John E. Toupal. Joan Lewis stated to Latrice Bond that our office had not received the Notice to File Corrected Application Papers (Notice) and requested a copy of the Notice to File Corrected Application Papers (Notice) from Latrice Bond. Latrice Bond submitted to Joan Lewis via facsimile on February 27, 2003 a copy of the Notice to File Corrected Application Papers (Notice), copy attached. The Notice to File Corrected Application Papers (Notice) indicated that the required items were as follows: "substitute drawings in compliance with 37 CFR 1.84 because drawing sheets do not have the appropriate margins". As requested in the Notice to File Corrected Application Papers, substitute drawings in compliance with 37 CFR 1.84 are submitted with this Petition.

2. This application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional 37 C.F.R. 1.137(b)(3).

3. Response is attached.

4. Applicant is a small business entity.

5. The Commissioner is hereby authorized to charge Deposit Account No. 20-1375 in the amount of $130.00, the required fee due with this Petition and for any other fees that may be due with this Petition.

Applicant respectfully requests that this application be revived to active status.

Respectfully submitted,

JAMES A. TARARA

By _____
John E. Toupal, Reg. No. 19,908
Attorney for the Applicant

116 Concord Street
Framingham, MA 01702
508-872-3781
Customer No. 003574

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, Attention: "Office of Petitions" on the date shown below

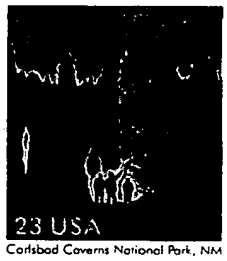
On March 24th 2003

Joan C. Lewis
Name of person mailing paper

Signature of person mailing paper

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Attorney John E. Toupal
116 Concord Street
Framingham, MA 01702

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please acknowledge the accompanying STATUS INQUIRY in re: Serial No. 09/784,426 filed Feb.16, 2001, for GASKET FOR ACID WASTE COUPLINGS, inventor: Tarara, D.1482, being mailed via first class mail this 12th day of November 2002, by placing your receiving date stamp hereon and mailing. Thank You.

OIPE JC54
NOV 18 2002
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